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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/829,573	04/10/2001	Ryuichiro Hisamatsu	450100-03152	7755	
20999	7590 02/06/2006		EXAMINER		
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL.			ELISCA, PIERRE E		
NEW YORK, NY 10151			ART UNIT	PAPER NUMBER	
			3621		
			DATE MAIL ED. 02/07/200	DATE MAIL ED. 02/04/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner							
Examiner		Application No.	Applicant(s)				
Pierre E. Elisca 3621	065 - 4 - 4' 0	09/829,573	HISAMATSU ET AL.				
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Examinon of time may be available used the epoxisors of 2 FFL 1360, in no event, however, may new be them with the series of the product of the produc	Oπice Action Summary	Examiner	Art Unit	_			
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1) ⊠ Responsive to communication(s) filed on 22 November 2005. 2a) ☐ This action is FINAL. 2b) ☑ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☑ Claim(s) 1-22 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) 1-22 is/are rejected. 7) ☐ Claim(s) 1-22 is/are objected to. 8) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) is/are objected to by the Examiner. 10) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☒ All b) ☐ Some * c) ☐ None of: 1. ☒ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	 WHICHEVER IS LONGER, FROM THE MAILING D Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing 	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be time will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	I. lely filed the mailing date of this communication. D (35 U.S.C. § 133).				
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DETAILED ACTION

1. Regarding the status of the claims in the instant application, the Examiner has found new prior art. The Examiner is obliged to apply the newly found prior art. The Examiner regrets the delayed process of the application. Accordingly, claims 1-22 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

3. Claims 1-22 are rejected under 35 U.S.C. 102 (e) as being anticipated by Kleiman (U.S. Pat. No. 5,959,945).

As per claims 1-22 Kleiman discloses a music distribution to local electronic jukeboxes see., abstract, lines 1 and 2 (which is readable as Applicant's claimed invention wherein said a business management f), comprising:

Obtaining information about earnings and expenses based on expenses incurred by content providers supplying users wit recording devices compatible with contents offered by the providers, on content subscription fees paid by said users for receiving said content, and on earnings derived from services and/or advertisements included in said contents, determining said services and/or advertisements to be provided to said users based on said users viewing history data, controlling fees to be paid for said services and/or advertisements in accordance with said information about said earnings and expenses thus obtained, judging whether or a share of the

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earnings possibly may be paid back, and initiating a process to decide on items applicable to pay back when that pay back is judges possible (see., abstract, lines 9-17, col 4, lines 21-31, col 6, lines 22-40, specifically, figs 1, 8A, and 9).

Claim Objections

4. Claims 1, 8, 13, 19, and 21 are objected to because of the following informalities: Applicant is advised to remove the word "maybe". Appropriate correction is required.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 571 272 6706. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pierre Eddy Elisca

Primary Patent Examiner

January 30, 2006